

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

LACIE EDON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:24-cv-02195-TWP-KMB
	)	
PNC BANK, IN ITS OWN CAPACITY AND AS	)	
SUCCESSOR TO NATIONAL CITY BANK,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff Lacie Edon ("Plaintiff") initiated this action against Defendant PNC Bank ("Defendant") by filing a Complaint in Hancock County Superior Court ([Filing No. 1-2](#)). The Complaint raises state claims for conversion, breach of fiduciary duty, and negligence. *Id.* Defendant removed the action to this Court on December 12, 2024, ([Filing No. 1](#)) and moved to dismiss the Complaint for failure to state a claim ([Filing No. 6](#)).

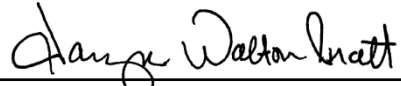
Following Defendant's Motion and some discovery, Plaintiff moved for leave to amend the Complaint ([Filing No. 29](#)). The Court granted the Motion, and on July 23, 2025, Plaintiff filed an Amended Complaint ([Filing No. 34](#)), which is now the operative pleading. Despite the filing of the Amended Complaint, the parties requested that the pending Motion to Dismiss remain live such that the parties need not re-brief it in response to the Amended Complaint (*see* [Filing No. 33](#)).

Although counsel argues that the Amended Complaint does not moot the pending Motion to Dismiss, it is well-established that "an amended complaint supersedes an original complaint and renders the original complaint void." *Flannery v. Recording Indus. Ass'n of Am.*, 354 F.3d 632, 638 n.1 (7th Cir. 2004). The parties need not "re-brief" their motion to dismiss, response and reply, but, for the orderly progression of this case, the motion and briefing should be re-filed.

Because Plaintiffs filed an Amended Complaint after Defendants filed their Motion to Dismiss—thereby superseding the initial Complaint upon which Defendant's Motion is based—Defendant's Motion to Dismiss ([Filing No. 6](#)) is **DENIED as moot**. Defendants are **granted leave** to refile the same, or a new motion to dismiss concerning the operative Amended Complaint, within **seven (7) days** from the date of this entry.

**SO ORDERED.**

Date: 8/8/2025

  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

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